

## STATE EMERGENCY RESPONSE COMMISSION

### State Emergency Response Commission Meeting Minutes March 10, 2004

James L. Ford, Jr., Secretary – DSHS  
John Blevins – DNREC  
Jamie Turner – DEMA  
Dr. Gerald Llewellyn – Div. of Public Health  
Ralph Baker – Shipper of HazMat  
Tricia Faust – Department of Transportation  
James Lee – Consignee of HazMat  
Steven Scruggs – Rail Transportation  
John Peirce – Water Transportation  
Bill Betts – Fire Prevention Commission  
Representative Bruce C. Ennis – DVFA  
Michael G. Chiomchio – State Fire Marshal  
Lynn Bullock – Sussex County LEPC  
George Giles – Wilmington LEPC  
J. Allen Metheny, Sr. – Kent County LEPC  
Jim Kenney – New Castle County LEPC  
Mark Collender – Delaware State Police

Glenn Gillespie – DEMA  
Robert Pritchett – DNREC/EPCRA  
Dave Irwin – NCC LEPC  
Bob Barrish – DNREC  
Edw. Gerhard – USEPA  
Rich Antoff – DNREC  
William Matthews – SCEMS  
Tedd Winneberger – SCEMS  
Marcia Nickle – NCCOEP  
James L. Cabbage, Jr. – DVFA  
Dave Hake – DEMA  
Arthur Paul – DEMA  
Rosemary Marlowe – DEMA

The March 10, 2004 meeting of the State Emergency Response Commission was called to order at 9:07 a.m. by Secretary James Ford, Chair. Attendees introduced themselves and were welcomed to meeting. The December 10, 2003 meeting minutes were approved as written following a motion made by Mr. George Giles and seconded by Representative Bruce Ennis.

### Committee Reports

#### Finance and Budget – Representative Bruce Ennis

##### *Calendar Year 2003 Summary*

Carryover from 2002 calendar year	+ \$ 237,984
Fees collected during 2003	+ \$ 273,940 (a)
Final Reimbursements for reporting errors in 2003	- \$ 4,860 (a)
Interest received during 2003	+ \$ 5,453
Annual disbursements to LEPCs approved in June 2003	- \$ 244,101
Establishment of Decon trailer equip and maintenance fund	- \$ 15,000 (b)
Establishment of Decon trailer replacement account	- \$ 28,000
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Final balance at end of 2003 calendar year	\$ 225,416
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*Calendar Year 2004*

Fees received thus far in 2004	+ \$ 220,220 (c)
Interest received thus far during 2004 (no data available yet)	---
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Account balance as of 3/3/04	\$ 445,636

Notes:

- a) After factoring in reimbursements, net fees collected during calendar year 2003 equaled \$269,080.
- b) Establishment of account at DEMA for Decon trailer maintenance was approved at February 2003 SERC meeting, and \$5,000 was transferred to the account. Fund was expanded to cover replacement of equipment and supplies for Decon trailers at June 2003 SERC meeting. Account was renamed to Decon trailer equipment and maintenance fund, and an additional \$10,000 was added.
- c) Reports and fees from facilities covering calendar year 2003 were due (to be postmarked) by 3/1/04. Additional fees are currently being received and processed.

Decon Trailer Replacement Account:

Initial deposit approved in June 2003	+ \$ 28,000
Interest received during 2003 (Sept. thru Dec.)	+ \$ 172
Interest received during 2004 (no data available yet)	---
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Balance as of 3/3/2004	\$ 28,172

HMEP Grant Review – Mr. Dave Hake

Mr. Hake referred attendees to the HMEP Budget Status letter in the SERC agenda package and reviewed the following proposals for Planning Funds:

1. The Delaware Emergency Management Agency requests funds for one staff member to attend the National Association of SARA Title III Program Officials Conference and the Hazardous Material Emergency Preparedness (HMEP) Workshop in Portland, Maine, April 12-16, 2004. Approximate Cost: \$1400.00
2. The Sussex County Decon Team requests funds for two members to attend the 2004 International Hazardous Materials Spills Conference in San Antonio, TX, May 3-7, 2004. Approximate Cost: \$1825.00
3. The Sussex County Decon Team requests funds for two members to attend the International Hazardous Materials Response Teams Conference in Hunt Valley, MD, June 3-6, 2004. Approximate Cost: \$1600.00

4. The City of Wilmington Local Emergency Planning Committee requests funds for four members to attend the International Hazardous Materials Response Teams Conference in Hunt Valley, MD, June 3-6, 2004. Approximate Cost: \$4,000.00

Approved and Pending Items:

<b><u>Planning</u></b>	
Balance as of 03/01/04	46,090.00
<b>Pending Items:</b>	
Kent County DeIEASI Support	888.00
Kent County LEPC Tabletop Exercise County Chemicals Facilities /DAFB	3,256.00
New Castle LEPC Dinner Industrial Hazmat Team	650.00
Right to Know Planning Guide	672.00
<b>Total Pending Items</b>	<b>5,466.00</b>
<b><i>Projected Planning Balance</i></b>	<b><i>40,624.00</i></b>

Mr. Hake then reviewed the following proposals for Training Funds:

1. The Department of Natural Resources and Environmental Control (DNREC) requests funds for Emergency Response Team members to attend Hazardous Material Technician training at the DE State Fire School. Training classes requested are 15 Refresher (\$600) and five Initial (\$900). Approximate Cost: \$13,500.00
2. The Kent County Decon Team requests funds for members to attend HazMat Technician training at the DE State Fire School. Training classes requested are for five Refresher (\$600) and four Initial (\$900). Approximate Cost: \$6,600.00
3. The Sussex Decon Team requests funds for members at attend HazMat Technician training at the DE State Fire School. Training classes requested are for six Refresher (\$600) and two Initial (\$900). Approximate Cost: \$5,400.00

Approved and Pending Items:

<b><u>Training</u></b>	
Balance as of 03/01/04	45,133.00
<b>Pending Items:</b>	
DNREC Tier II Training, Del Tech Campus, Three Counties	450.00
<b>Total Pending Items</b>	<b>450.00</b>
<b><i>Projected Training Balance</i></b>	<b><i>44,683.00</i></b>

## **Request Planning and Training Project Proposals for FY2004.**

### HMEP Key Dates:

Obligation Date: September 30, 2004

Liquidation Date: December 31, 2004

The HMEP Planning and Training Grants are funded by the U.S. DOT. Mr. David Hake is the grant administrator and verifies that requests meet the eligibility requirements. *This budget status update is provided to the SERC for information purposes only.*

### Information and Technology (IT) – Mr. Bob Pritchett

As a result of the motion passed at the December 10, 2003 SERC meeting, Secretary Ford submitted a letter to DNREC requesting penalty funds be applied toward Tier II funding and \$60,000 was approved for the purchase of Tier II Management software. The committee will meet on March 30 to discuss and consolidate their modifications. The committee will meet on April 6 with IDSI.

### Planning and Training – Mr. Jamie Turner

The Oil and Hazardous Substance Incident Contingency Plan State Emergency Response Team (SERT) plan is being printed. It will be distributed to the Commission when ready.

### Decon Trailer – Mr. J. Allen Metheny, Sr.

The Decon Trailer User's Group met on March 3, 2004 at the Kent County Public Safety Building.

All three Decon teams continue to work on the purchase of equipment with the funds approved by SERC to complete the Standard Equipment List purchases. New Castle has completed their purchases; Kent and Sussex still have approximately each \$3,000 left.

We are continuing on the work of drafting a Statewide Decon trailer User's Group "Standard Operating Guidelines" (SOG). Progress is slow on this project due to the many other projects we are involved with.

A total of \$400,000 has been approved for the purchase of three tow vehicles for the Decon trailers. We have finalized a set of specs for the trucks and working with the State Division of Purchasing and DEMA to get the trucks ordered. The State had advised us that the bidding process will take from four to six months after the specifications are approved by the Division of Purchasing. However, we had a meeting with the Secretary of Administrative Services and hopefully this process will be reduced to 60 to 70 days. I do not expect to see the trucks until late fall.

Since the last meeting, the teams have:

- Responded to five emergency incidents
- Conducted three training classes or drills, one in New Castle with 35 attendees. New Castle now has 135 training volunteers on their team.
- Completed no public appearances/community outreach events.

Another volunteer class is on the agenda in Kent County.

The team has developed a tentative list of equipment and service requests for FY '04 WMD funds. The request include upgrades to our air systems, a "new generation" chemical and biological detector, a team member ID system, funds for maintenance contracts and calibration costs of WMD equipment, and overtime for back filling positions to cover training.

Some of the WMD equipment is beginning to arrive and it is being stored until the trucks and other trailers arrive.

Relative to the maintenance fund, we have used \$4,091.92 to date.

We will be presenting a budget to the Budget Committee to replenish the maintenance fund and set-aside 10 percent of the collections for trailer replacement.

Our next meeting is scheduled for June 2, 2004.

#### Funding (Ad Hoc Committee) – Mr. J. Allen Metheny, Sr.

This committee has had three teleconference calls since last SERC meeting. Although there is not an immediate funding problem the Commission has spent more than it has taken in for the last couple of years. In four to five years the carryover balance from previous years will be down to zero. We recommend exploring possibility of using a small percentage of HazMat penalty funds to support SERC activities. We recommend that Secretary Ford send a letter to DNREC to request these funds. The Finance and Budget Committee needs a chair. Volunteers were requested for position of chair. Please let Arthur Paul know if you are willing to serve in that capacity. Secretary Ford will appoint the chair of the committee.

#### **LEPC Reports**

##### New Castle County – Mr. Jim Kenney

LEPC Meeting Jan.12, 2004 - Meeting was hosted by The American Red Cross. Their representative gave an overview of the activities of the Wilmington office.

Mark Dolan NCCIHMR Training Chair reviewed the Training provided members during 2002 and 2003. Providing quality training is a major drawing card for membership.

Carol Sloan of the Sun refinery gave a presentation about the sulfur recovery plant they have built to serve the refinery. This new unit is state of the art technology resulting in remarkable reduction of

atmospheric emissions. The unit has built in redundancy for all equipment. Sun has demonstrated a high degree of community responsibility.

Mr. Murray of the DOT gave a presentation about the DOT Outreach Program.

LEPC meeting March 8, 2004---The LEPC budget was presented and received approval of the LEPC. The amount is exactly the same as the projection given to the SERC finance committee. The only increase is due to a negotiated increase in salary/benefits for the administrative assistant. The consultants cost will remain the same for three years. That budget was submitted to Arthur Paul today. The work plan for FY 05 was discussed and approved.

Bob Barrish discussed the resubmittal of the EPA and Del Risk management Plans. (RMP).

- HazMat Plan Status – The Plan has been revised and is in for typing. On site Emergency Response Plan assessment program. Since last report seven audits have been completed, one follow-up audit with excellent results and an ongoing assessment following an incident.
- HazMat Incidents – There have been no major incidents or NCCIHMRAs responses since last report.

#### City of Wilmington – No Report

Although no verbal report was given because Mr. George Giles had to leave early, he did submit a written report, a copy of which follows:

- Meeting Notes – The last meeting of the Wilmington Local Emergency Planning Committee was held on January 9, 2004 at the Public Safety Building in the 2<sup>nd</sup> Floor conference room 300 N. Walnut Street, Wilmington, Delaware. The following is a summary of the minutes from the January 9, 2004 meeting: completion of the Comprehensive Hazardous Emergency Response Plan, identified needs purchased for the 1<sup>st</sup> responders; the Anti-Terrorism Committee continues its work; still receiving special needs cards to be placed in the 911 dispatch database; and in the process of starting a pilot program for the Citizens Corp. The classes will be held in early April.
- Facility Visits – The Wilmington LEPC and the members of the DeLEASI Group have started visits. It will be asked that all companies have a complete set of plans filed with this office. We will then request DeLEASI meet with responders and site representatives.
- Planning and Outreach – We are preparing for a pilot program to train business community teams to be qualified in CERT. Qualified instructors will teach basic first aid and basic survival skills such as: Emergency Preparedness, Fire Safety, Light Search and Rescue, CERT Organization, Disaster Psychology, Terrorism and Community Emergency Response. The first class will train approximately 30 Local Business and Resident Group Representatives. After classroom training we will conduct a 4-hour hands-on drill with participants.
- HazMat Plan Status – The Comprehensive Hazardous Emergency Plan has been updated and submitted to DEMA and FEMA for approval along with All Hazardous Plan as required.
- Exercise Status – We will be having a drill with DART in March to include several players. The

Wilmington Fire Department, Wilmington Police Department, DelDOT, HMHTTC, Transit Center, DNREC, Delaware National Guard along with Amtrak Police and Emergency Management. The drill will involve rail cars with potentially dangerous hazardous material. It will include the evacuation of schools with transportation to shelter areas. The date for this drill is planned for March 25, 2004.

Continuing training with hazardous material in rail cars with the Wilmington Fire Department.

Continuing with Hazmat Metering Device Training.

- HazMat Incidents – There have been 3 events since last report.
- Comments – Cher Cap has been completed. After review of the Hazardous Material Plan several identified needs have been acted upon, bought and put into place with the 1<sup>st</sup> responders. We have improved on communications as well as metering devices to better prepare and equip 1<sup>st</sup> responders. Purchased command vest for identification on scene and binoculars for product identification.

#### Kent County – Mr. J. Allen Metheny, Sr.

- Meeting Notes – Regular meetings held on January 13, 2004 with twenty-five members present and on March 9, 2004 with twenty-eight members present. Provided updates to the members on the following topics: Decon III Operations, Tier II reporting and fee collections, Budget Issues, Delaware Emergency Notification System and the Tier II Manager System.

The long-term planning committee chairperson has written two articles for our local chamber of commerce newsletter, one addressing the LEPC and its role in the community and another on risk management plans for smaller businesses. Six employees from the Public Safety Department attended the EPA Spills Conference.

We discussed a request from one facility to get involved in a small drill for the community. In addition, two other drills are in the planning stages with the Dover Air Force Base. We will be activating the seminar committee to possible plan for another seminar next spring, similar to the ammonia seminar held last spring.

The next LEPC meeting will be on May 11, 2004 at 10 a.m.

- Facility Visits – DeEASI has completed the EHS facility inspections in central Kent County. A wrap-up dinner is being planned.
- HazMat Plan Status – Approved by SERC.
- Exercise Status – The planning continues for the Dow-Reichhold drill. The tabletop exercise was held on July 31 at Dow-Reichhold. The drill scheduled for October 17 was held at a lower level than planned due to schedule and equipment conflicts. We will plan for a full drill in the fall of 2004.

- HazMat Incidents – One response since the last report. Decon 3 responded with the local fire company to an odor of unknown origin at a local business. Upon investigation, it was believed to be cleaning fluid that had been used to clean some clothing that was then packaged in a bag. No personnel were deconned.

#### Sussex County – Mr. Lynn Bullock

- Meeting Notes – Not reported.
- Facility Visits – Making facility visits for audit purposes.
- HazMat Plan Status – Currently being updated.
- Exercise Status – Training new hires under CAMEO ofm.
- HazMat Incidents – No incidents to his knowledge, doesn't know what Decon has done.

#### **Old Business**

##### 1. SERC Membership Vacancies - Mr. Arthur Paul

There is currently one membership vacancy, Highway Transportation. Mike LePore is no longer with the Delaware Motor Transport Association. His position has been assumed by Jack Taylor. We are waiting for the voter registration process to be completed before Mr. Taylor's appointment to the Commission is final.

##### 2. House Bills 437 and 520 – Mr. Arthur Paul

Representative Dave Ennis, Representative Bruce Ennis, Secretary James Ford and Director Jamie Turner need to meet to resolve the differences in the epilogue language of the two bills. Director Turner said that meeting would be delayed until the current legislative session has ended.

##### 3. Delaware Emergency Notification System (DENS) Update – Mr. Arthur Paul

The contract with Verizon was signed and the database was delivered to FirstCall. FirstCall has geo-coded ninety percent (90%) of the numbers they received. VPN connections are being put in each of the 9-1-1 centers. An account for DNREC is being established. An alert can be done from the State EOC. New Castle County Police will continue to use their reverse 9-1-1 system. They are not included in DENS. Mr. Paul will brief the fire chiefs in Sussex County on March 18 and the fire chiefs in New Castle County on April 1. Secretary Ford said that the Governor must be notified through proper channels before any DENS activation. The DENS message maximum length is thirty (30) seconds during which time the message must be repeated. It is a first-tier notification system directing people to more specific information via radio and/or television stations.



## **New Business**

1. Funding Committee Findings and Recommendations – A motion was made by J. Allen Metheny for SERC to send a letter to DNREC requesting a percentage of HazMat funds. The motion was seconded by Representative Bruce Ennis. Motion passed unanimously. Mr. Paul and the Funding Committee will develop a letter and then submit it to Secretary Ford for signature.
2. Selection of Finance and Budget Committee Chairperson – Anyone willing to serve in chair capacity needs to let Mr. Paul know. Budget forms have been distributed to the SERC committees. Following the selection of a chair, the committee will review the forms and make recommendations at the SERC meeting in June.

## **Closing Comments**

Mr. Paul advised that an updated copy of the by-laws had been distributed to the Commission together with a copy of the 2003 Annual Report. (The Annual Report was approved by the Commission during its December meeting and was forwarded to the Governor.)

The SERC meeting adjourned at approximately 9:51 a.m. The next meeting will be on Wednesday, June 9, 2004.